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including all stereoisomers thereof, prodrug esters thereof, and pharmaceutically acceptable salts thereof.

REMARKS

Restriction/Election:

In the Office Action, a Restriction/Election was imposed, and Applicants were requested to select a group of species from the following:

Group I, claims 1-29 (in part), drawn to compounds of the formula where R^4 is a heteroaromatic moiety;

Group II, claims 1-29 (in part), drawn to compounds of the formula where R^4 is an amine;

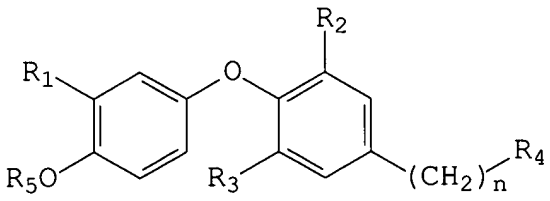
Group III, claims 1-29 (in part), drawn to compounds of the formula where R^4 is an acylsulfonamide; and

Group IV, claims 1-29 (in part), drawn to compounds of the formula where R^4 is carboxylic acid amide.

Applicants herein elect with traverse the claims and species of **Group IV, where R^4 is carboxylic acid amide.** In addition, Applicants reserve the right to file divisional applications on the nonelected groups and/or species under 35 USC §121, and claim priority to this application under 35 USC §120.

Claim Amendments

Applicants herein amend claim 1 to recite a compound having the formula



wherein

n is an integer from 0 to 4;

R_1 is C_1 to C_6 alkyl or C_3 cycloalkyl;

R_2 and R_3 are the same or different and are hydrogen, halogen, alkyl of 1 to 4 carbons, at least one of R_2 and R_3 being other than hydrogen;

R_4 is a heteroaromatic moiety which may be substituted or unsubstituted and is linked to $(CH_2)_n$ via a nitrogen atom or a carbon atom; an amine (NR'R"), including those in which the amine is derived from an alpha amino acid of either natural (L) or unnatural (D) stereochemistry; an acylsulphonamide ($CONHSO_2R'$); or a carboxylic acid amide (CONR'R") in which R' and R" are the same or different and are independently selected from hydrogen, alkyl, aryl, and heteroaryl substituted or unsubstituted with the proviso that when n equals zero (n=0), then R_4 can only be a carboxylic acid amide or an acylsulphonamide;

R_5 is hydrogen or an acyl (such as acetyl or benzoyl) or other group capable of bioconversion to generate the free phenol structure (where in R_5 = H);

including all stereoisomers thereof, prodrug esters thereof, and pharmaceutically acceptable salts thereof.

Claim 1, as amended, now recites that R_1 includes C_1 to C_6 alkyl groups or a 3-carbon cycloalkyl group. Claim 1, as amended, also now further recites that the carboxylic acid amide (CONR'R") group recited for substituent R_4 includes R' and R" moieties that are the same or different and are independently selected from hydrogen, alkyl, aryl, and heteroaryl substituted or unsubstituted.

Applicants submit that support for the amendments to the recitation of the R_1 substitutent may be found in the specification at page 5, lines 4 and 31. Support for the recitation of the R_4 carboxylic acid amide substituents may be found in the specification at page 3, lines 22-24. Accordingly, no new matter is added herewith.

If the Examiner has any questions or feels that a discussion with Applicants' representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

JON HANGELAND ET AL.

By Todd E. G

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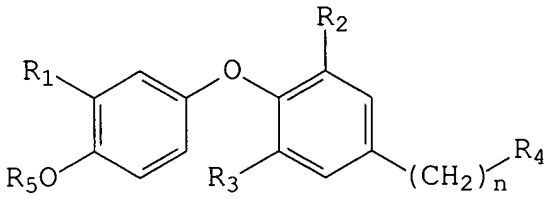
APPENDIX I

CLAIM AMENDMENTS UNDER 37 CFR 1.121(c)(ii)

Claim 1 is REWRITTEN as follows:

1. (Amended) A compound having the formula



wherein

n is an integer from 0 to 4;

R_1 is [halogen, trifluoromethyl, or alkyl of 1 to 6 carbons or cycloalkyl of 3 to 7 carbons] C_1 to C_6 alkyl or C_3 cycloalkyl;

R_2 and R_3 are the same or different and are hydrogen, halogen, alkyl of 1 to 4 carbons, at least one of R_2 and R_3 being other than hydrogen;

R_4 is a heteroaromatic moiety which may be substituted or unsubstituted and is linked to $(CH_2)_n$ via a nitrogen atom or a carbon atom; an amine (NR'R"), including those in which the amine is derived from an alpha amino acid of either natural (L) or unnatural (D) stereochemistry; an acylsulphonamide ($CONHSO_2R'$); or a carboxylic acid amide (CONR'R") in which R' and R" are the same or different and are independently selected from hydrogen, alkyl, aryl, and heteroaryl substituted or unsubstituted with the proviso that when n equals zero (n=0), then R_4 can only be a carboxylic acid amide or an acylsulphonamide;

R_5 is hydrogen or an acyl (such as acetyl or benzoyl) or other group capable of bioconversion to generate the free phenol structure (wherein R_5 = H);

including all stereoisomers thereof, prodrug esters thereof, and pharmaceutically acceptable salts thereof.

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